

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q83579

Akira NISHIYAMA, et al.

Appln. No.: Unknown (National Stage Entry of PCT/JP03/06959)

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: December 3, 2004

Examiner: Unknown

For: PROCESS FOR PRODUCING OPTICALLY ACTIVE β -AMINO ALCOHOL

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

10/516469

DT12 Sec'd PCT/PTO 03 DEC 2004

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Attorney Docket No.: Q83579

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the corresponding International Search Report (ISR) citing such documents, indicating the degree of relevance found by the International Bureau.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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Date: December 3, 2004

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

| | | | | | |
|-------|---|----|---|------------------------|--------|
| Sheet | 1 | of | 1 | Attorney Docket Number | Q83579 |
|-------|---|----|---|------------------------|--------|

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| | | Number | Kind Code ² (if known) | | |
| | | US | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
|--------------------|-----------------------|---------------------------|---------------------|--------------------------------------|---|----------------------------|
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | |
| | | DE | 827950 | A1 | 01-14-1952 | Troponwerke Dinklage & Co. |
| | | DE | 927690 | A1 | 05-16-1955 | Troponwerke Dinklage & Co. |
| | | GB | 1413930 | A | 11-12-1975 | Commercial Solvents Corp. |
| | | EP | 1142864 | A1 | 10-10-2001 | Nagase & Co., Ltd. |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
|--------------------|-----------------------|---|--------------------------|
| | | Muller, V. H. K. et al, "Beziehungen zwischen Substituenteneinfluß und Reaktionsbedingungen bei der Reduktion recemischer α-(Phenylalkylamino)- propiophenone mit verschiedenen Kryptobasen" Journal für praktische Chemie, 1973, Vol. 315, No. 3, pages 449 to 462 | |
| | | Hwang, G. I. et al, " An Efficient Synthesis of Both Enantiomers of Cathinone by Regioselective Reductive Ring Opening of Substituted Aziridines", Tetrahedron, 1996, Vol. 52, No. 37, pages 12111 to 12116, particularly, examples | |
| | | Sreekumar, R. et al, "Asymmetric Synthesis of Amines by the Reductive Amination of Ketones Using (+) and (-) Norephedrine Followed by Periodate Oxidation." Tetrahedron Asymmetry, 1993, Vol. 4, No. 9, pages 2095 to 2100, particulary, Scheme 1 | |
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| Examiner Signature | Date Considered |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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